



UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
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05 CV 6204  
05 CV 6231  
05 CV 6242  
June 8, 2005

Rodney C. Early, Clerk  
304 US Courthouse  
68 Court Street  
Buffalo, NY 14202-1368

IN RE: MDL DOCKET No. 1456 In Re: Pharmaceutical Industry Average  
Wholesale Price Litigation  
USDC - Massachusetts Lead Case No. 1:01CV12257-PBS  
Your Case: Civil Action Nos:

1:05-214 County of Chautauqua v. Abbott Labs, Inc. et al	District of MA No: 1:05-11193
1:05-236 County of Allegany v. Abbott Labs, Inc. et al	District of MA No: 1:05-11194
1:05-256 County of Cattaraugus v. Abbott Labs, Inc. et al	District of MA No: 1:05-11195

Dear Mr. Early :

Enclosed is a certified copy of the Order of the Judicial Panel on Multi-District Litigation, transferring the cases on the attached listing to the U.S. District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to Title 28 United States Code Section 1407. These cases have been assigned to the Honorable Patti B. Saris.

In accordance with the Rules concerning Multi-District Litigation, please forward the original case file, along with a certified copy of the docket entries and a copy of the transfer order for the case now pending in your district as indicated above. Also include a copy of this letter when transmitting your records to the above address.

Your prompt attention to this matter is greatly appreciated. If you should have any questions, please do not hesitate to contact the undersigned at 617-748-9113, Robert Alba, Courtroom Clerk for Judge Saris at 617-748-9175 or Christine Patch, Docket Clerk for Judge Saris, at 617-748-9178.

Sincerely,

Kimberly M. Abaid  
Deputy Clerk

Information Copy to: Michael Beck, Clerk of the Panel  
Counsel of Record  
Robert Alba  
Christine Patch

CLOSED\_2005, STAYED

**U.S. DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK [LIVE] (Rochester)  
CIVIL DOCKET FOR CASE #: 6:05-cv-06242-MAT**

The County of Cattaraugus v. Abbott Laboratories,  
Inc. et al  
Assigned to: Hon. Michael A. Telesca  
Cause: 42:1396 - Tort Negligence

Date Filed: 04/13/2005  
Jury Demand: Plaintiff  
Nature of Suit: 890 Other  
Statutory Actions  
Jurisdiction: Federal Question

**Plaintiff**

**The County of Cattaraugus**

represented by **Aaron D. Hovan**  
Kirby McInerney & Squire, LLP  
830 Third Avenue  
Suite 10  
New York, NY 10022  
212-371-6600  
Fax: 212-751-2540  
Email: ahovan@kmslaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Joanne M. Cicala**  
Kirby McInerney & Squire, LLP  
830 Third Avenue  
Suite 10  
New York, NY 10022  
212-371-6600  
Fax: 212-751-2540  
Email: jcicala@kmslaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Roger W. Kirby**  
Kirby McInerney & Squire, LLP  
830 Third Avenue  
New York, NY 10022

(212) 371-6600  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Abbott Laboratories, Inc.**

**Defendant**

**Alcon Laboratories, Inc.**

**Defendant**

**Allergan, Inc.**

**Defendant**

**Alpharma, Inc.**

**Defendant**

**Purepac Pharmaceutical Co.**

**Defendant**

**Amgen, Inc.**

**Defendant**

**Immunex Corporation**

**Defendant**

**Andrx Corporation**

**Defendant**

**AstraZeneca Pharmaceuticals  
L.P.**

**Defendant**

**Aventis Pharmaceuticals, Inc.**

**Defendant**

**Dermik Laboratories, Inc.**

**Defendant**

**Barr Laboratories, Inc.**

**Defendant**

**Bayer Corporation**

**Defendant**

**Berlex Laboratories, Inc.**

**Defendant**

**Biogen Idec, Inc.**

**Defendant**

**Biovail Pharmaceuticals, Inc.**

**Defendant**

**Bristol-Myers Squibb  
Company**

**Defendant**

**Oncology Therapeutics  
Network Corp.**

**Defendant**

**Ben Venue Laboratories, Inc.**

**Defendant**

**Boehringer Ingelheim  
Corporation**

**Defendant**

**Boehringer Ingelheim  
Pharmaceuticals, Inc.**

**Defendant**

**Roxane Laboratories, Inc.**

**Defendant**

**Dey Inc.**

**Defendant**

**Eisai Inc.**

**Defendant**

**Eli Lilly and Company**

**Defendant**

**Endo Pharmaceuticals Inc.**

**Defendant**

**Ethex Corporation**

**Defendant**

**Forest Laboratories, Inc.**

**Defendant**

**Forest Pharmaceuticals, Inc.**

**Defendant**

**Fujisawa Healthcare, Inc.**

**Defendant**

**Fujisawa USA, Inc.**

**Defendant**

**Genentech, Inc.**

**Defendant**

**Genzyme Corporation**

**Defendant**

**Gilead Sciences, Inc.**

**Defendant**

**GlaxoSmithKline P.L.C.**

**Defendant**

**SmithKline Beecham  
Corporation**  
*doing business as*  
Glaxosmithkline

**Defendant**

**Hoffman-La Roche, Inc.**

**Defendant**

**Roche Laboratories, Inc.**

**Defendant**

**Ivax Corporation**

**Defendant**

**Ivax Pharmaceuticals Inc.**

**Defendant**

**Janssen Pharmaceutica  
Products, LP**

**Defendant**

**Johnson & Johnson**

**Defendant**

**McNeil-PPC, Inc.**

**Defendant**

**Ortho Biotech Products, LP**

**Defendant**

**Ortho-McNeil Pharmaceutical,  
Inc.**

**Defendant**

**King Pharmaceuticals, Inc.**

**Defendant**

**Monarch Pharmaceuticals, Inc.**

**Defendant**

**MedImmune, Inc.**

**Defendant**

**Merck & Co., Inc.**

**Defendant**

**Mylan Laboratories, Inc.**

**Defendant**

**Mylan Pharmaceuticals, Inc.**

**Defendant**

**UDL Laboratories, Inc.**

**Defendant**

**Novo Nordisk Pharmaceuticals,  
Inc.**

**Defendant**

**Novartis Pharmaceuticals  
Corporation**

**Defendant**

**Sandoz, Inc.**

**Defendant**

**Organon Pharmaceuticals  
USA, Inc.**

**Defendant**

**Par Pharmaceutical, Inc.**

**Defendant**

**Agouron Pharmaceuticals, Inc.**

**Defendant**

**Greenstone, LTD**

**Defendant**

**Pfizer Inc.**

**Defendant**

**Pharmacia Corporation**

**Defendant**

**Purdue Pharma, L.P.**

**Defendant**

**Reliant Pharmaceuticals, LLC**

**Defendant**

**Sanofi-Synthelabo, Inc.**

**Defendant**

**Schering-Plough Corp.**

**Defendant**

**Schering Corporation**

**Defendant**

**Warrick Pharmaceuticals  
Corporation**

**Defendant**

**Serono, Inc.**

**Defendant**

**Takeda Pharmaceuticals North  
America, Inc.**

**Defendant**

**Tap Pharmaceutical Products,  
Inc.**



**Defendant**

**Teva Pharmaceutical USA, Inc.**

**Defendant**

**UCB Pharma, Inc.**

**Defendant**

**Watson Pharma, Inc.**

**Defendant**

**Watson Pharmaceuticals, Inc.**

**Defendant**

**Wyeth**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/13/2005	<a href="#"><u>1</u></a>	COMPLAINT against Purepac Pharmaceutical Co., Amgen, Inc., Immunex Corporation, Andrx Corporation, AstraZeneca Pharmaceuticals L.P., Aventis Pharmaceuticals, Inc., Dermik Laboratories, Inc., Barr Laboratories, Inc., Bayer Corporation, Berlex Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Bristol-Myers Squibb Company, Oncology Therapeutics Network Corp., Ben Venue Laboratories, Inc., Boehringer Ingelheim Corporation, Boehringer Ingelheim Pharmaceuticals, Inc., Roxane Laboratories, Inc., Dey Inc., Eisai Inc., Eli Lilly and Company, Endo Pharmaceuticals Inc., Ethex Corporation, Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Genentech, Inc., Genzyme Corporation, Gilead Sciences, Inc., GlaxoSmithKline P.L.C., SmithKline Beecham Corporation, Hoffman-La Roche, Inc., Roche Laboratories, Inc., Ivax Corporation, Ivax Pharmaceuticals Inc., Janssen Pharmaceutica Products, LP, Johnson & Johnson, McNeil-PPC, Inc., Ortho Biotech Products, LP, Ortho-McNeil Pharmaceutical, Inc., King Pharmaceuticals, Inc., Monarch Pharmaceuticals, Inc.,

		<p>MedImmune, Inc., Merck &amp; Co., Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., UDL Laboratories, Inc., Novo Nordisk Pharmaceuticals, Inc., Novartis Pharmaceuticals Corporation, Sandoz, Inc., Organon Pharmaceuticals USA, Inc., Par Pharmaceutical, Inc., Agouron Pharmaceuticals, Inc., Greenstone, LTD, Pfizer Inc., Pharmacia Corporation, Purdue Pharma, L.P., Reliant Pharmaceuticals, LLC, Abbott Laboratories, Inc., Sanofi-Synthelabo, Inc., Schering-Plough Corp., Schering Corporation, Warrick Pharmaceuticals Corporation, Serono, Inc., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., Watson Pharma, Inc., Alcon Laboratories, Inc., Watson Pharmaceuticals, Inc., Wyeth, Allergan, Inc., Alpharma, Inc. ( Filing fee \$ 250 receipt number 67512.), filed by The County of Cattaraugus. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E)(DZ, ) (Entered: 04/18/2005)</p>
04/13/2005		<p>Summons Issued as to Purepac Pharmaceutical Co., Amgen, Inc., Immunex Corporation, Andrx Corporation, AstraZeneca Pharmaceuticals L.P., Aventis Pharmaceuticals, Inc., Dermik Laboratories, Inc., Barr Laboratories, Inc., Bayer Corporation, Berlex Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Bristol-Myers Squibb Company, Oncology Therapeutics Network Corp., Ben Venue Laboratories, Inc., Boehringer Ingelheim Corporation, Boehringer Ingelheim Pharmaceuticals, Inc., Roxane Laboratories, Inc., Dey Inc., Eisai Inc., Eli Lilly and Company, Endo Pharmaceuticals Inc., Ethex Corporation, Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Genentech, Inc., Genzyme Corporation, Gilead Sciences, Inc., GlaxoSmithKline P.L.C., SmithKline Beecham Corporation, Hoffman-La Roche, Inc., Roche Laboratories, Inc., Ivax Corporation, Ivax Pharmaceuticals Inc., Janssen Pharmaceutica Products, LP, Johnson &amp; Johnson, McNeil-PPC, Inc., Ortho Biotech Products, LP, Ortho-McNeil Pharmaceutical, Inc., King</p>

		Pharmaceuticals, Inc., Monarch Pharmaceuticals, Inc., MedImmune, Inc., Merck & Co., Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., UDL Laboratories, Inc., Novo Nordisk Pharmaceuticals, Inc., Novartis Pharmaceuticals Corporation, Sandoz, Inc., Organon Pharmaceuticals USA, Inc., Par Pharmaceutical, Inc., Agouron Pharmaceuticals, Inc., Greenstone, LTD, Pfizer Inc., Pharmacia Corporation, Purdue Pharma, L.P., Reliant Pharmaceuticals, LLC, Abbott Laboratories, Inc., Sanofi-Synthelabo, Inc., Schering-Plough Corp., Schering Corporation, Warrick Pharmaceuticals Corporation, Serono, Inc., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., Watson Pharma, Inc., Alcon Laboratories, Inc., Watson Pharmaceuticals, Inc., Wyeth, Allergan, Inc., Alpharma, Inc.. (DZ, ) (Entered: 04/18/2005)
05/10/2005	<a href="#"><u>2</u></a>	ORDER REASSIGNING CASE. Case reassigned to Judge Michael A. Telesca for all further proceedings. Judge William M. Skretny no longer assigned to case. Signed by Hon. Richard J. Arcara on 05/10/2005. (Baker, J.) (Entered: 05/10/2005)
05/10/2005		Remark - All future submissions in this action should reflect, and be filed in, the new case number 6:05-CV-6242 (DZ, ) Modified on 5/12/2005 to indicate correct case number (DZ, ). (Entered: 05/11/2005)
05/10/2005		Intradistrict Transfer to Rochester Division. All future docketing to be done in the new case number 6:05-CV-6242. (DZ, ) (Entered: 05/11/2005)
06/01/2005	<a href="#"><u>4</u></a>	ORDER STAYING CASE. Signed by Hon. Michael A. Telesca on 5/31/05. (TO, ) (Entered: 06/21/2005)
06/10/2005	<a href="#"><u>3</u></a>	Certified copy of ORDER transferring case to the Judicial Panel on Multidistrict Litigation. Signed by Michael Beck on 5/12/05. (TO, ) (Entered: 06/16/2005)
06/17/2005		Case transferred to District of Massachusetts to the Judicial Panel on Multi-Dist. Litigation; Original file, certified copy of transfer order, and docket sheet sent.

	(TO, ) (Entered: 06/17/2005)
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